

In the  
**Indiana Supreme Court**

IN THE MATTER OF THE )

APPROVAL OF LOCAL RULES )

FOR GIBSON COUNTY )

Case No. 26S00-1305-MS- 391



ORDER APPROVING AMENDED LOCAL RULE

The judges of the Gibson Circuit and Superior Courts request the approval of an amended local rule for special judge selection in accordance with Ind. Trial Rule 79. Attached to this Order is the proposed amended local rule.

Upon examination of the proposed rule amendment requested by the Gibson Circuit and Superior Courts, this Court finds that the proposed rule amendment, LR26-TR79-001 complies with the requirements of Ind. Trial Rule 79, and accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that Gibson County Local Rule, LR26-TR79-001, set forth as an attachment to this Order, is approved effective May 15, 2013, provided further that the rule shall be posted in the county clerk's office(s) and on the county clerk's website, if any, and on the Indiana Judicial Website.

The Clerk of this Court is directed to forward a copy of this Order to the Hon. Jeff Meade, Gibson Circuit Court, 101 North Main Street, Princeton, IN 47670-1562; the Hon. Earl G. Penrod, Gibson Superior Court, 101 North Main Street, Princeton, IN 47670-1562; to the Clerk of the Gibson Circuit and Superior Courts; and to the Division of State Court Administration. The Clerk is also directed to post this Order on the Court's website.

The Clerk of the Gibson Circuit and Superior Courts is directed to enter this Order and attachment in the Record of Judgments and Orders for the Courts, to post this Order and attachment for examination by the Bar and the general public, and if available, to publish this Order and attachment on the county clerk's website.

DONE at Indianapolis, Indiana, on May 29, 2013.

  
Brent E. Dickson  
Chief Justice of Indiana

**Selection of Special Judges in Civil Cases under  
Trial Rule 79(H)**

In the event the parties cannot agree on an eligible special judge as provided under Trial Rule 79(D), or in the event a judge disqualifies or recuses under Section (C), or does not accept the case under Section (D), then the clerk shall appoint a special judge from the following list of presiding judges in the respective courts, with the Circuit Court commencing from the top of the list and proceeding in descending order and the Superior Court commencing at the bottom of the list and proceeding in ascending order:

Posey Circuit Court  
Posey Superior Court  
Vanderburgh Circuit Court  
Vanderburgh Superior Court(s) (in alphabetical order)  
Warrick Circuit Court  
Warrick Superior Court I  
Warrick Superior Court II  
Pike Circuit Court  
Knox Circuit Court  
Knox Superior 1 Court  
Knox Superior 2 Court

A person selected and appointed to serve under this rule shall accept jurisdiction in the case unless disqualified pursuant to the Code of Judicial Conduct, ineligible for service under Trial Rule 79 or is excused from service by the Indiana Supreme Court.

If the judge selected to serve is disqualified or is excused from service, then the clerk shall appoint the next judge on the list. If no judge on the list is eligible to serve as special judge or the particular circumstances in the case so warrant, the then presiding judge in the case shall certify the matter to the Indiana Supreme Court for the appointment of a special judge pursuant to TR79(H)(3).

*(Amended effective May 15, 2013)*

**STATE OF INDIANA – COUNTY OF GIBSON  
IN THE CIRCUIT AND SUPERIOR COURT**

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**NOTICE OF PROPOSED NEW AND AMENDED LOCAL COURT RULES, FINDING  
GOOD CAUSE TO DEVIATE FROM THE SCHEDULE FOR LOCAL RULES, AND  
REQUEST FOR SUPREME COURT APPROVAL**

**April 12, 2013**

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In accordance with Trial Rule 81 of the Indiana Court Rules, the judges of the Gibson Circuit and Superior Court hereby give notice to the bar and the public that the Courts propose to amend their current local court rule concerning the appointment of special judges in civil cases at **LR26-TR79-001** and their current local court rule concerning alcohol and drug program fees at **LR26-AR00-005** and to adopt a **new** local rule establishing a schedule of fees for problem-solving courts at **LR26-AR00-7**. We find that good cause exists to deviate from the schedule for adopting or amending local rules. All new text is shown by underlining and deleted text is shown by ~~strike through~~. Supreme Court approval is required for the amendment to the local court rule concerning the appointment of special judges in civil cases. We request Supreme Court approval for this amended rule.

**Comment Period and Effective Date**

The time period for the bar and the public to comment will begin on **April 12, 2013**, and will close on **May 12, 2013**. The effective date for the new and amended rules will be **May 15, 2013**.

**Comments**

Comments by the bar and the public should be made in writing and mailed, or emailed, to Earl G. Penrod, Judge, Gibson Superior Court at 101 N. Main Street, Princeton, IN 47670-1562 or [egpenrod@gibsoncounty-in.gov](mailto:egpenrod@gibsoncounty-in.gov).

A paper copy of the proposed new and amended local rules will be made available for viewing in the office of the Clerk of Gibson County, in the Gibson County Courthouse. Persons with Internet access may view the proposed new and amended local rules at the following website:

<http://www.in.gov/judiciary/2945.htm>

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Jeffrey F. Meade  
Judge, Gibson Circuit Court

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Earl G. Penrod  
Judge, Gibson Superior Court